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INFO RUEHBR/AMEMBASSY BRASILIA PRIORITY 8170
RUEHCV/AMEMBASSY CARACAS PRIORITY 0346
RUEHLP/AMEMBASSY LA PAZ APR 9401
RUEHZP/AMEMBASSY PANAMA PRIORITY 1614
RUEHQT/AMEMBASSY QUITO PRIORITY 6815
RUEHGL/AMCONSUL GUAYAQUIL PRIORITY 4413
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C O N F I D E N T I A L BOGOTA 001569

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FOR WHA/AND

E.O. 12958: DECL: 04/28/2018
TAGS: [PGOV](#) [PTER](#) [SNAR](#) [PREL](#) [CO](#)
SUBJECT: MACACO EXTRADITION DEBATE CONTINUES

REF: A. BOGOTA 1266
[1](#)B. BOGOTA 1369

[1](#)1. (U) Supreme Court President Francisco Javier Ricaurte--citing an April 10 Supreme Court decision--stated in an interview on April 26 that victims have the right to hear the confessions of demobilized paramilitaries in the Justice and Peace Law process and receive reparations prior to their extradition. He said even extraditions already authorized by the Supreme Court and approved by the President, like that of Carlos Mario Jimenez Naranjo (aka Macaco), could not proceed without JPL judges' consent, since they must verify truth and reparations compliance. Ricaurte emphasized that former paramilitaries must confess their crimes, meet their justice obligations, and pay reparations in Colombia rather than abroad. He stressed that extradition prior to completing the JPL process would contravene the "spirit of the law" as well as various international agreements.

[1](#)2. (C) President Uribe publicly criticized the Supreme Court decision on April 26, and the GOC maintains that the executive has the legal authority under the Colombian Constitution and Criminal Code to extradite any individual whose extradition has already been approved by the Supreme Court. Still, the Local Judicial Council of Cundinamarca upheld a motion by a victims group to block Macaco's extradition on April 22. This decision is under review by the Superior Judicial Council. Angelino Liscano, Chairman of the Superior Judicial Council, told us a majority of judges favor overturning the lower court's decision. Casa Narino legal advisor Edmundo del Castillo told us April 25 that the Macaco extradition could occur the week of April 28.

[1](#)3. (C) We have stressed to GOC officials that the extradition of Macaco must comply with all regular extradition procedures and documentation. Ricaurte's comments come against a backdrop of rising tensions between the Supreme Court and Uribe, and are a clear signal to the executive not to proceed. If the Superior Council reverses the lower court ruling, Uribe will have a sound legal basis for his decision but will further exacerbate his poor relations with the Supreme Court.
BROWNFIELD